

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

05/15/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. McCain
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
JENNIFER L WILLMOTT

CAPITAL CASE MANAGER

TRIAL MINUTE ENTRY
DAY 69

Courtroom SCT5C

State's Attorney:	Juan Martinez
Defendant's Attorney:	Kirk Nurmi and Jennifer Willmott
Defendant:	Present

Court Reporter, Mike Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

10:09 a.m. Trial to Jury continues from 05/09/2013.

The Jury is present.

The Court reads the Aggravation Phase Instructions to the Jury.

Counsel for the State presents opening statements.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

05/15/2013

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Counsel for the State continues opening statements.

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Counsel for the State continues opening statements.

Counsel for the Defendant presents opening statements.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Counsel for the Defendant continues opening statements.

Dr. Kevin Horn takes the witness stand.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

10:41 a.m. The Jury is reminded of the admonition and Court stands in recess.

10:51 a.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

Dr. Kevin Horn having been previously sworn testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

05/15/2013

11:02 a.m. The Jury is reminded of the admonition and Court stands in recess.

11:06 a.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

Dr. Kevin Horn having been previously sworn testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Juror Questions have been received by the Court; same are discussed with Counsel out of hearing of the jury, and the Court addresses the witness regarding the issues.

FILED: Juror Questions

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

The witness steps down.

State rests.

Defense rests.

Closing arguments.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Closing arguments continue.

The Court gives final instructions to the Jury regarding deliberations.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

05/15/2013

12:07 p.m. The Jury retires in charge of sworn bailiffs to consider their verdicts.

LET THE RECORD REFLECT an ex parte hearing with Defendant and Counsel for the Defendant proceeds.

A record of the ex parte hearing is made by Court Reporter, Mike Babicky.

Discussion is held.

12:30 p.m. Court stands in recess.

2:16 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is not present.

Discussion is held regarding Final Jury Instructions for the penalty phase.

Argument is heard on penalty phase issues as stated on the record.

IT IS ORDERED setting Oral Argument 05/16/2013 at 9:30 a.m. in this division.

2:38 p.m. Court stands in recess.

2:49 p.m. The Jury informs the Court they have reached a verdict.

3:05 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

The Jury is all present in the jury box and by their Foreperson returns into Court their verdict, which is read and recorded by the Clerk and are as follows:

We the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths do find that the Aggravating Factor, Especially Cruel

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

05/15/2013

HAS BEEN PROVEN

XX

Signed,
Foreperson:

3:10 p.m. The Jury is reminded of the admonition and Court stands in recess until
05/16/2013 at 10:30 a.m.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.
Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine
their mandatory participation in eFiling through AZTurboCourt.